

SCOTT N. SCHOOLS (SC 9990)  
United States Attorney

MARK L. KROTOSKI (CSBN 138549)  
Chief, Criminal Division

KIMBERLY M. BRIGGS (CSBN 132043)  
Assistant United States Attorney

1301 Clay Street, Suite 340-S  
Oakland, CA 94612  
Telephone: (510) 637-3680

Attorneys for the Plaintiff

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

UNITED STATES OF AMERICA,  
  
Plaintiff,  
  
v.

No. CR-07-00030 SBA

STIPULATION AND ORDER  
TO CONTINUE STATUS HEARING

FERNANDO AGUILAR, and  
GUSTAVO AGUILAR,  
  
Defendants.

Date: June 15, 2007  
Time: 2:00 p.m.

It is hereby stipulated, by and between the parties that the status hearing currently set for Friday, June 15, 2007 at 2:00 p.m. be continued to Tuesday, June 26, 2007 at 9:00 a.m.

It is also stipulated that the period from June 15, 2007 to June 26, 2007, shall be excluded from the calculation of time in which the trial of the above captioned matter must commence pursuant to the Speedy Trial Act, Title 18 U.S.C. Section 3161©. Section 3161(h)(8)(B)(iv) allows for the exclusion of time for continuity of government or defense counsel. Moreover, the parties stipulate that the time is excludable from the time limitations of the Speedy Trial Act because the interests of justice served by granting a continuance.

Specifically, government counsel requests the continuance as she will be out of the office

beginning June 13, 2007 for approximately one week as her mother is having surgery and has no one else to care for her. Defense counsel has no objection to this continuance.

DATED: June 13, 2007

Respectfully submitted,

/s/  
KIMBERLY M. BRIGGS  
Assistant United States Attorney

DATED: 06/13/07

/s/  
SHARI GREENBERGER  
Attorney for Gustavo Aguilar

DATED: 06/13/07

/s/  
SARA ZALKIN  
Attorney for Fernando Aguilar

Based on the reason provided in the stipulation of the parties above, the Court hereby FINDS that the request for a continuance is reasonable, and will allow the continuance. Further, the Court concurs that the time period between June 15, 2007 and June 26, 2007 be excluded under the Speedy Trial Act.

The Court further FINDS that the time is excludable on the basis of continuity of government counsel and in the interests of justice pursuant to 18 U.S.C. Sections 3161(h)(8)(A) and (B)(iv). Moreover, the defense has no objection to the continuance.

Based on these findings, IT IS HEREBY ORDERED THAT the status hearing in this matter shall be continued from Friday, June 15, 2007 at 2:00 p.m. to Tuesday, June 26, 2007 at 9:00 a.m.

**IT IS SO ORDERED.**

DATED: 6/13/07

  
SAUNDRA BROWN ARMSTRONG  
United States District Judge